

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

VALLEY FORGE INSURANCE COMPANY,

Plaintiff,

v.

FISHER KLOSTERMAN, INC.,

Defendant.

CIVIL ACTION NO. 1:14-CV-792

**DEFENDANT FISHER
KLOSTERMAN, INC.'S MOTION
FOR EXTENSION OF TIME TO
ANSWER OR OTHERWISE PLEAD
TO THE COMPLAINT**

Defendant Fisher Klosterman, Inc. ("FKI") respectfully moves this honorable Court for an extension of time, up to and including October 1, 2015, in which to answer or otherwise plead in response to the Complaint of Plaintiff Valley Forge Insurance Company ("Valley Forge").

FKI presently is required to file an answer or responsive pleading to the Complaint on September 17, 2015. FKI requests that this deadline be extended up to and including October 1, 2015 in order to fully evaluate the allegations, investigate the facts, prepare the appropriate defenses to those allegations, and prepare the appropriate counterclaims.

On October 23, 2014, FKI and Valley Forge stipulated to a twenty-one day extension of time to answer, plead or otherwise move in response to the Complaint, which was so-ordered on October 28, 2014. (Dkt. Nos. 8, 9). FKI then moved to dismiss certain claims on legal grounds rather than answering them, meaning that full factual investigation of the merits of the claims did not take place at that time. The Court denied the Motion to Dismiss on September 3, 2014. Accordingly, given that FKI has already requested one extension of time, pursuant to Local Rule 6.1, FKI requires and requests the Court's approval to extend the current deadline.

This request is made in good faith and not interposed for delay. Moreover, the extension of time will not impede the progress of this case.

Counsel for FKI has consulted with counsel for Valley Forge regarding the requested extension, but Valley Forge has refused to consent to the extension.

For these reasons, FKI respectfully requests an extension of time up to and including October 1, 2015 in which to answer or otherwise plead in response to the Complaint.

Dated: September 9, 2015

By: /s/ Matthew A. Rich
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*Attorneys for Defendant Fisher
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CERTIFICATE OF SERVICE

I hereby certify that a copy of Defendant Fisher Klosterman, Inc.'s Motion for Extension of Time to Answer or Otherwise Plead to the Complaint was filed electronically this 9th day of September, 2015. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

/s/ Matthew A. Rich
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